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*Co-Counsel for Duke Energy Ohio, Inc.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**In re:**

**LEHMAN BROTHERS HOLDINGS, INC., et al.,**

**Debtors.**

)  
) **Chapter 11**  
)  
) **Case No. 08-13555 (JMP)**  
)  
) **(Jointly Administered)**  
)

**NOTICE OF APPEARANCE AND REQUEST FOR NOTICE AND PAPERS**

PLEASE TAKE NOTICE that Duke Energy Ohio, Inc. (“Duke”), a creditor of one of the Debtors in the above-captioned and jointly-administered bankruptcy cases, hereby enters its appearance by and through its counsel, Meyer, Suozzi, English & Klein, P.C. and Russell R. Johnson III, pursuant to section 1109 of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 9010 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and such counsel hereby requests that all papers served or required to be served in this case be given and served upon:

Thomas R. Slome (TS-0957)  
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This request encompasses all notices, copies, and pleadings referred to in section 1109(b) of the Bankruptcy Code, or in Bankruptcy Rules 2002, 3017, or 9007 including, without limitation, notices of any orders, motions, orders to show cause, demands, complaints, petitions, pleadings, memoranda, affidavits, declarations, notices of adjournment, disclosure statement(s) and plan(s) of reorganization, or requests, presentments, applications, and any other documents brought before this Court or in these jointly-administered cases and the proceedings therein, whether formal or informal, written or oral, or transmitted or conveyed by mail, delivery, telephone, electronic mail, telegraph, telecopy, telex, or otherwise which affect or seek to affect the above-captioned, jointly-administered, cases and any proceedings therein.

Neither this Notice of Appearance and Request For Notice and Papers nor any subsequent appearance, pleading, claim, proof of claim, document, suit, motion nor any other writing or conduct

should be taken to constitute a waiver of any right of Duke or any of its affiliates (i) to have any and all final orders in any and all non-core matters entered only after de novo review by a United States District Court Judge; (ii) to trial by jury in any proceeding as to any and all matters so triable herein, whether or not the same be designated legal or private rights, or in any case, controversy or proceeding related hereto, notwithstanding whether or not such matters are designated as “core proceedings” pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial is pursuant to statute or the United States Constitution; (iii) to have the reference of this matter withdrawn by the United States District Court in any matter or proceeding subject to mandatory or discretionary withdrawal; and (iv) to rights, claims, actions or defenses, setoffs, recoupments, or other matters to which this party is entitled under any agreements or at law or in equity or under the United States Constitution.

Respectfully submitted,

Dated: Garden City, New York  
October 8, 2008

MEYER, SUOZZI, ENGLISH & KLEIN, P.C.

By: /s/ Jil Mazer-Marino  
Thomas R. Slome (TS-0957)  
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